

Torrance, California  
November 17, 1938

MINUTES OF A SPECIAL MEETING  
OF THE CITY COUNCIL OF THE  
CITY OF TORRANCE

The City Council of the City of Torrance convened in a Special Meeting in the Council Chamber, City Hall, Torrance, California, on Thursday, November 17, 1938 at 11:00 A.M.

Mayor Tolson called the meeting to order.

Clerk Bartlett called the roll, those answering present being Councilmen: Hitchcock, McGuire, Murray, Powell and Tolson. Absent: Councilmen: None.

The Motor Vehicle Department having possession of the Council Chamber, Councilman Hitchcock, moved that the meeting adjourn to the committee room for further deliberation. Councilman Murray seconded the motion, which was carried unanimously.

Councilman Hitchcock, McGuire, Murray, Powell and Tolson. Clerk Bartlett and Attorney McCall took their respective positions in the committee room.

Attorney McCall read the call of the meeting, being "for the purpose of considering the alleged failure of Luther W. Andrews to comply with the terms of the garbage contract between the City of Torrance and Luther W. Andrews, and any other matter or alleged breach pertaining thereto."

Upon the question as to what violation had occurred, and as to the status of the case, Clerk Bartlett explained that Mr. Andrews had failed to provide a surety bond satisfactory to the City Council in accordance with the contract between Luther Andrews and the City of Torrance.

Attorney McCall read Paragraph 3 Page 2 of the garbage contract.

There was a long period of discussion, during, which time it was disclosed that Mr. Andrews had never provided a bond satisfactory to the City Council.

Attorney McCall explained that a surety bond in the penal sum of \$1,000.00 is specifically required according to the terms of the contract; that the City may serve Mr. Andrews with notice of intention to terminate the contract within three days from receipt of said notice unless the terms of the contract are complied with; that if Mr. Andrews still fails to provide the bond at the end of three days, the contract shall be terminated.

Councilman Powell moved that the City Clerk be authorized to serve notice on Mr. Luther W. Andrews that unless he posts with the City of Torrance a surety bond satisfactory to the City of Torrance in the penal sum of \$1,000.00 within three days from receipt of said notice, that the contract entered into by Mr. Andrews and the City of Torrance on the first day of August, 1938, will be terminated and cancelled.

Councilman Murray seconded the motion, which was carried by the following roll call vote: AYES: COUNCILMEN: Hitchcock, McGuire, Murray, Powell and Tolson. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: None.

Councilman Hitchcock suggested that the type of bond which will be satisfactory to the City Council and which will provide the City with necessary protection in a case of this kind be agreed upon.

Councilman Hitchcock moved that the City Council agree to approve either a corporate surety bond or a cash bond for \$1,000.00 for faithful performance of the garbage contract, such bond to be posted by a surety company authorized to do business in the State of California. Councilman Murray seconded the motion, which was carried by the following roll call vote: AYES: COUNCILMEN: Hitchcock, McGuire, Murray, Powell and Tolson. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: None.

Councilman Hitchcock moved that, in the event Mr. Andrews fails to provide the bond at the expiration of three days time after service of notice, the City Clerk be authorized to hire Mr. Andrews to haul garbage until December 1, 1938 at the present salary rate of \$400.00 per month.

Councilman Murray seconded the motion, which was carried by the following roll call vote: AYES: COUNCILMEN: Hitchcock, McGuire, Murray, Powell and Tolson. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: None.

At 12:04 P.M., upon motion of Councilman McGuire, seconded by Councilman Powell, the meeting adjourned.

*A. H. Baines*  
City Clerk of the City of Torrance

Approved:

*W. J. Tolson*  
Mayor of the City of Torrance.